

PLANNING AND ZONING BOARD

JUNE 28, 2000

1. ROLL CALL

The meeting was called to order at 7:30 p.m. Present were Chair George Greb, Vice-Chair Jay Stahl, Larry Davis, and Edna Moore. Also present were Board Attorney A. Thomas Connick, Planner Jason Eppy, and Secretary Janet Gale recording the meeting. Michael Davenport was absent.

2. PLAT

2.1 P 8-2-99, Griffin 78 Plat, 7790 Griffin Road (B-1) (tabled from June 14, 2000)

Mr. Eppy requested a tabling to July 12, 2000, advising that the Town Attorney had rendered an opinion; however, the petitioner had sent a letter asking that the opinion be reconsidered.

Mr. Connick stated that the opinion had been considered a second time and a letter had been sent out in the last day or two. He advised that the petitioner was requesting a third review of the opinion.

Ms. Moore made a motion, seconded by Mr. Davis, to table to July 12, 2000. In a voice vote, with Mr. Davenport being absent, all voted in favor. **(Motion carried 4-0)**

3. PUBLIC HEARING

Variances

3.1 V 5-1-00, Mellgren/AP Adler Oakes, Ltd., 4350 Oakes Road (M-1, County) (tabled from May 24, 2000) (application withdrawn by petitioner)

No action was taken as this item had been withdrawn by the petitioner.

3.2 V 5-4-00, Ross-Matz Investments, 8020 SW 30 Street (B-2) (Petitioner requested retabling to July 12, 2000)

Mr. Eppy explained why the petitioner was requesting a tabling.

Mr. Davis made a motion, seconded by Ms. Moore, to table to July 12, 2000. In a voice vote, with Mr. Davenport being absent, all voted in favor. **(Motion carried 4-0)**

3.3 V 6-2-00, Howard, 2821 West Abiaca Circle (PRD)

David Howard, representing the petitioner, explained the need for this request. Mr. Eppy read the planning report (Planning and Zoning Division's recommendation: denial). He clarified that "in the strict sense of the Code," staff was compelled to make the negative recommendation; however, in this case, he understood the logic and purpose of the request.

Chair Greb established that the homeowner's association had approved the request and that there were no negative responses from neighbors with 39 notices having been mailed.

Chair Greb asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Mr. Davis made a motion, seconded by Ms. Moore, to approve subject to written approval by the homeowners association. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Stahl - yes; Mr. Davis - yes; Mr. Davenport - absent; Ms. Moore - yes. **(Motion carried 4-0)**

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Special Permit

3.4 SE 5-2-00, Nextel Communications/Southeast Properties, 5501 South University Drive (B-2, Community Business) (tabled from June 14, 2000)

Ron Engele, representing the petitioner, was present. He outlined the tower construction, areas of coverage or lack thereof, tower height, tower sharing, vicinity of tower base to building and power lines, and building Code requirements. In the discussion which ensued, Mr. Engele answered questions and provided information for a better understanding of the project.

Mr. Eppy read the planning report (Planning and Zoning Division recommendation: approval). He advised that the special permit would not require to be renewed and would be approved for the duration of the tower.

Chair Greb asked if anyone wanted to speak for or against this item. As there were no speakers, the public hearing was closed.

Ms. Moore made a motion, seconded by Vice-Chair Stahl, to approve. Mr. Davis asked if Ms. Moore had any interest in this property. She responded negatively and indicated that the Wolf family had sold the property years ago although it still had the Wolf name. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Stahl - yes; Mr. Davis - no; Mr. Davenport - absent; Ms. Moore - yes. **(Motion carried 3-1)**

Later in the meeting, Mr. Davis expressed his concern that there was not a specific duration period set for the review of the special permit. Mr. Eppy responded that it was his understanding that the Board was able to "set conditions" for a special permit review.

4. OLD BUSINESS

Chair Greb asked about the status of various requests that had been made to staff. Mr. Eppy advised of the new format for the planning report which would include the number of persons notified and the date advertised. He indicated that the new reports would be in the next packet of materials.

Mr. Eppy reported that the exotic animal special permits would be addressed as soon as was possible with the Interim Town Administrator.

Vice-Chair Stahl asked about site plans being provided at the same time a rezoning request was made. Mr. Eppy advised that the item was on a priority list for consideration by the Development Services Department. Mr. Connick interjected that the Town Attorney had been asked to work on this issue as well. At Ms. Moore's inquiry, Mr. Eppy explained that a conceptual site plan would be presented during the rezoning process and would not negate the necessity for an actual site plan which was required during the site plan process.

5. NEW BUSINESS

There was no new business to discuss.

6. COMMENTS AND/OR SUGGESTIONS

Vice-Chair Stahl requested that the agenda packets be protected from the rain with plastic wrapping.

PLANNING AND ZONING BOARD MINUTES
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Chair Greb referenced a memorandum from Administrative Secretary Alina Medina regarding the transcription of Planning and Zoning Board minutes. He emphasized the importance of having minutes transcribed in a timely fashion and urged that action be taken by the Town Administrator, if necessary, to resolve the problem.

7. ADJOURNMENT

There being no further business and no objections, the meeting adjourned at 8:32 p.m.

Date Approved _____

Chair/Board Member